

**United States Patent and Trademark Office (USPTO)**  
**Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 79362949

**Mark:** FARRO CAPITAL

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**Applicant:** TRRU CAPITAL PTE. LTD.

**Reference/Docket No.** N/A

**Correspondence Email Address:**

**NONFINAL OFFICE ACTION**  
**Notice of Provisional Full Refusal**

**International Registration No.** 1713703

**Deadline for responding.** The USPTO must receive applicant's response **within six months of the "date on which the notification was sent to WIPO (mailing date)"** located on the WIPO cover letter, or the U.S. application will be abandoned (see <https://www.uspto.gov/trademarks-application-process/abandoned-applications> for information on abandonment). To confirm the mailing date, go to the USPTO's Trademark Status and Document Retrieval (TSDR) database at <https://tsdr.uspto.gov/>, select "US Serial, Registration, or Reference No.," enter the U.S. application serial number in the blank text box, and click on "Documents." The mailing date used to calculate the response deadline is the "Create/Mail Date" of the "IB-1rst Refusal Note."

Respond to this Office action using the USPTO's Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

**Discussion of provisional full refusal.** This is a provisional full refusal of the request for extension of protection to the United States of the international registration, known in the United States as a U.S. application based on Trademark Act Section 66(a). *See* 15 U.S.C. §§1141f(a), 1141h(c).

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**SEARCH OF USPTO DATABASE OF MARKS**

The trademark examining attorney has searched the USPTO database of registered and pending marks

and has found no conflicting registered marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

#### SUMMARY OF ISSUES:

- Disclaimer Required
- Mark Description Required
- Identification of Services Requires Amendment
- Email Address Required
- U.S. Counsel Required

#### **DISCLAIMER REQUIRED**

Applicant must disclaim the wording “CAPITAL” because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant’s goods and/or services. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

The attached evidence from Merriam-Webster shows this wording means a type of financial and/or investment service. Thus, the wording merely describes applicant’s services because they involve and/or relate to capital.

Applicant may respond to this issue by submitting a disclaimer in the following format:

**No claim is made to the exclusive right to use “CAPITAL” apart from the mark as shown.**

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

#### **MARK DESCRIPTION REQUIRED**

The drawing of the mark in the Section 66(a) application appears to be in standard characters (i.e., text only with no particular font style, size, or color). However, the application does not appear to include the required claim of standard characters and will be treated as a special form drawing only. *See* TMEP §807.03(h). Any registration issuing from this application will thus be limited to the particular appearance and text style shown in the drawing. *See* TMEP §§807.04 *et seq.*

A mark registered in standard characters, however, would provide protection of a text mark in any lettering style, size, and color. *See* 37 C.F.R. §2.52(a); TMEP §807.03(a). A mark in the international registration and corresponding U.S. application may meet the USPTO’s requirements for a standard character drawing even though no claim to standard characters was included in the application. TMEP §807.03(h). The absence of a standard character claim could be due to the differences in requirements for such claims in different countries. *Id.*

If applicant seeks to register the mark in standard characters in the United States, applicant must submit the following two statements:

- (1) **Under the laws of the country of the basic application and/or**

**registration, the basic application and/or registration includes, and thus the international registration includes, the legal equivalent of a standard character claim.**

**(2) The mark consists of standard characters without claim to any particular font style, size, or color.**

*See* 37 C.F.R. §2.52(a); TMEP §807.03(a), (h).

If applicant does not provide these two statements, the USPTO will consider the mark drawing to be in special form. *See* TMEP §807.03(h).

### **IDENTIFICATION OF SERVICES REQUIRES AMENDMENT**

The wording “Investment services; financial services; [...] insurance services” in the identification of goods and/or services in International Class(es) 036 is indefinite and too broad. This wording must be clarified because it is not clear what the goods and/or services are and could identify goods and/or services in more than one international class. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03, 1904.02(c), (c)(ii). For example, “Insurance claims auditing services” are in International Class 035 and “Promotion of financial and insurance services, on behalf of third parties” are in International Class 35.

In an application filed under Trademark Act Section 66(a), an applicant may not change the classification of goods and/or services from that assigned by the International Bureau of the World Intellectual Property Organization in the corresponding international registration. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Therefore, although the goods and/or services may be classified in several international classes, any modification to this wording must identify goods and/or services in International Class(es) 036 only, the class(es) specified in the application for these goods and/or services. *See* TMEP §1904.02(c), (c)(ii).

Applicant may adopt the following wording in International Class(es) 036, if accurate (changes shown in **bold** typeface):

International Class 036: **Capital** investment services; financial services, **namely, raising debt and equity capital for others**; investment consultancy; provision of financial information; investment brokerage; insurance **brokerage** services

Applicant’s goods and/or services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably narrowed. *See* 37 C.F.R. §2.71(a); TMEP §§1402.06, 1904.02(c)(iv). Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods and/or services or add goods and/or services not found or encompassed by those in the original application or as acceptably narrowed. *See* TMEP §1402.06(a)-(b). The scope of the goods and/or services sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods and/or services will further limit scope, and once goods and/or services are deleted, they are not permitted to be reinserted. TMEP §1402.07(e). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau); and the

classification of goods and/or services may not be changed from that assigned by the International Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods and/or services transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). See TMEP §1402.04.

### **EMAIL ADDRESS REQUIRED**

Applicant must provide applicant's email address, which is a requirement for a complete application. See 37 C.F.R. §2.32(a)(2); TMEP §803.05(b). This email address cannot be identical to the primary correspondence email address of a U.S.-licensed attorney retained to represent applicant in this application. See TMEP §803.05(b).

### **U.S. COUNSEL REQUIRED**

**Applicant is required to be represented by a U.S.-licensed attorney to respond to or appeal the provisional refusal** because applicant's domicile is located outside of the United States and applicant does not appear to be represented by a qualified U.S. attorney. 37 C.F.R. §2.11(a); TMEP §601.01(a). An applicant whose domicile is located outside of the United States or its territories must be represented by an attorney who is an active member in good standing of the bar of the highest court of a U.S. state or territory. 37 C.F.R. §2.11(a); TMEP §§601, 601.01(a). In this case, applicant's domicile is identified in the application as outside of the United States or its territories. For more information, see the U.S. Counsel webpage at <https://www.uspto.gov/trademark/laws-regulations/trademark-rule-requires-foreign-applicants-and-registrants-have-us> and Hiring a U.S.-licensed trademark attorney webpage at <https://www.uspto.gov/trademarks-getting-started/why-hire-private-trademark-attorney>.

**To appoint a U.S.-licensed attorney** in this application, applicant should submit a completed Trademark Electronic Application System (TEAS) Change Address or Representation form at <https://teas.uspto.gov/ccr/car>. The newly-appointed attorney must submit a TEAS Response to Examining Attorney Office Action form at <https://teas.uspto.gov/office/roa/> indicating that an appointment of attorney has been made and address all other refusals or requirements in this action. Alternatively, if applicant retains an attorney before filing the response, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. See 37 C.F.R. §2.17(b)(1)(ii); TMEP §604.01.

**How to respond.** [Click to file a response to this nonfinal Office action.](#)

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## RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or [unforeseen circumstances](#) could affect an applicant's ability to timely respond.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

TM EXAM DOCKET

Capital investments Definition & Examples

merriam-webster.com/dictionary/capital%20investments

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capital investment

noun

: the amount of money invested or required to be invested in an enterprise or undertaking

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## Dictionary

### Definition

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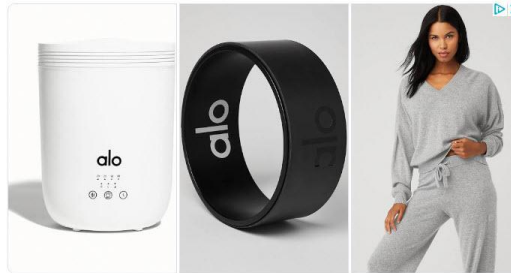
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Save Word

# capital investment

noun

: the amount of money invested or required to be invested in an enterprise or undertaking



alo

Fast. Faster. Prime.  
It's on prime



Shop now

## Quordle

W	O	R	D	Y
L	O	V	E	R
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